

1 Dawson Street
Naremburn
NSW 2065

24 May 2005

The Secretary
Senate Economics Legislation Committee
Suite SG.64
Parliament House
CANBERRA ACT 2600.

Re: Inquiry into the Tax Laws Amendment (Improvements to Self Assessment) Bill (No. 1) 2005 and the Shortfall Interest Charge (Imposition) Bill 2005.

Dear Sir

In regard to recent amendments made to tax laws governing Self Assessment and the Shortfall Interest Charge - which aims to protect taxpayers from unfair and inequitable treatment from the tax department – I would like to register my concern that the problem the legislation seeks to remedy can only be truly solved by making this legislation retrospective to 1995.

In its current form, the legislation will not provide any relief for those (including myself) who have suffered financial and personal stress as a result of tax laws which have been judged sufficiently defective to warrant legislative change.

As the tax office can continue to make decisions based on the old tax law acknowledged as defective by the bill for tax returns prior to the 2004/2005 financial year, there is no guarantee that unfair and inequitable treatment will not continue unabated for tax amendments that do not fall within the scope of the new legislation.

Unless the legislation is changed to cover the full period from the beginning of self assessment, people like myself are left stranded in the past and exposed to the variable and unfair treatment of the ATO.

I would request that the Committee recommend that the legislation be amended so that it corrects these problems in the past as well as in the future.

Yours faithfully

Peter Curnow